

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

MARHAYGUE, LLC,)	
)	
Plaintiff,)	Case No. 2:12-cv-00322-RMG-JDA
)	
v.)	SECOND STATUS UPDATE OF
)	PATENT REEXAMINATION
)	PROCEEDING
WOLFPAC TECHNOLOGIES, INC. and)	
ATLANTIC FOREST PRODUCTS, LLC,)	
)	
Defendants.		

Pursuant to the Court's Order (Dkt. No. 72), Plaintiff Marhaygue, LLC ("Marhaygue") and Defendants Wolfpac Technologies, Inc. ("Wolfpac") and Atlantic Forest Products, LLC ("Atlantic") jointly submit this status report concerning the status of the pending reexamination proceedings for U.S. Patent No. 7,997,044 ("the '044 patent").

As the Court is aware, the United States Patent and Trademark Office ordered reexamination of certain claims of the '044 patent. The Patent Office also issued an Office Action that initially rejected claims 17 and 19 of the '044 patent (amongst other claims). As a result of this reexamination, the Court stayed the present litigation. (Dkt. No. 72.) Pursuant to the Court's subsequent Order (Dkt. No. 78), the parties now jointly provide this status report concerning the reexamination proceeding.

Subsequent to the stay of this litigation, Marhaygue filed a response to the Patent Office's rejections, and Wolfpac has filed a reply in support of the rejections. Following consideration of Marhaygue's response and Wolfpac's reply, the Patent Office found patentable all claims subject to reexamination without the need for any amendment to such claims by Marhaygue. The reexamination proceeding is now complete. However, the parties have until October 12, 2013 to appeal the Patent Office's decision.

Currently, the parties are engaged in settlement negotiations, and would respectfully request that the stay of the case continue so that settlement can be fully explored.

Respectfully submitted,

NEXSEN PRUET, LLC

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